

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

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DEPUTY CLERK

UNITED STATES OF AMERICA

§
§
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§
§

v.

MARCI JOHNSON

3 - 13CR-133-N

INFORMATION

The United States Attorney charges:

Count One
Mail Fraud
(Violation of 18 U.S.C. § 1341)

At all times material to the Information:

1. Defendant **Marci Johnson** was the Chief Administrative Officer at victim S.C., a public-relations company located within the Dallas Division of the Northern District of Texas.
2. In her role as Chief Administrative Officer, Johnson had access to S.C.'s company checks and company credit cards. Based on her long-standing working relationship with S.C.'s owner, Johnson occupied a position of trust that provided her substantial discretion over the company's bank accounts.

Schemes and Artifices to Defraud

3. Starting at least as early as August 2003 and continuing until February 2011, Johnson engaged in a scheme and artifice to defraud her employer, S.C., an entity known to the United States Attorney, by embezzling the company's money and

converting that money to Johnson's personal use.

4. It was part of the scheme and artifice to defraud that Johnson used her corporate American Express card for numerous personal and unauthorized charges, such as electronics, dining, department stores, entertainment expenses, medical expenses, and groceries. Each month, Johnson would prepare S.C. checks to cover the outstanding charges on the American Express bill, including Johnson's personal charges, even though she knew that many of the charges on her corporate American Express card were for personal expenses, and not for legitimate business expenses of S.C. Johnson, or someone acting at her request, would mail the checks using the United States Postal Service to American Express in furtherance of the scheme and artifice to defraud.

5. It was further part of the scheme and artifice to defraud that Johnson falsely represented to S.C. that all of the charges on the American Express card should be covered as legitimate business expenses when, in fact, Johnson knew that many of the charges on her corporate card were for personal expenses.

6. It was further part of the scheme and artifice to defraud that Johnson wrote S.C. checks and caused them to be mailed to cover personal and unauthorized charges on her personal credit cards. Starting at least as early as December 2008 and continuing until February 2011, Johnson wrote checks from S.C.'s bank account to Citibank and/or Chase, the provider of Johnson's personal credit cards. Johnson was not authorized by anyone at S.C. to use company money to pay for personal expenses on her personal credit card.

7. It was further part of the scheme and artifice to defraud that Johnson caused

S.C. to itemize the personal expenses—whether improperly charged on Johnson’s corporate American Express card or improperly paid for out of S.C. funds on Johnson’s personal credit cards—as business expenses in S.C.’s internal accounting software and documents.

----- **NOTHING FURTHER ON THIS PAGE** -----

8. On or about December 2, 2009, in the Northern District of Texas, the defendant, **Marci Johnson**, for the purpose of executing the foregoing schemes and artifices to defraud and to obtain money by means of false and fraudulent pretenses, representations, and promises, did knowingly and with the specific intent to defraud caused a S.C. check in the amount of \$5,000 to be delivered by the United States Postal Service and private commercial interstate carriers, according to the directions thereon, to Citibank, which improperly included payment for Johnson's personal charges (namely, payment toward an outdoor deck, hot tub, outdoor granite countertops, outdoor grill, and other amenities at her personal residence in Kaufman) and which was received by Citibank sometime prior to December 9, 2009, when the check was deposited and S.C.'s account was debited.

All in violation of 18 U.S.C. § 1341.

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